IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

TUESDAY, THE 5TH DECEMBER 2006 / 14TH AGRAHAYANA 1928

WP(C).No. 30081 of 2006(F)

PETITIONER:

G.RAJEEV, AGED 37 YEARS,
S/O.GOPINADHAN, CHAITHANYA HOUSE,
KADAVATTARAM MURI, NEYYATTINKARA VILLAGE,
NEYYATTINKARA TALUK, THIRUVANANTHAPURAM DISTRICT.

BY ADV. SRI.C.C.THOMAS

RESPONDENTS:

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1. THE EXCISE INSPECTOR,
AMARAVILA EXCISE RANGE, AMARAVILA P.O.,
THIRUVANANTHAPURAM.

2. THE ASST.EXCISE COMMISSIONER,
FORT, THIRUVANANTHAPURAM.

3. THE TAHSILDAR (RR), NEYYATTINKARA
TALUK, THIRUVANANTHAPURAM DISTRICT.

4. S.SASI, SALESMAN, TODDY SHOP NO.3,
UDYIYANKULANGARA, AMARAVILA EXCISE RANGE,
AMARAVILA P.O., THIRUVANANTHAPURAM.

5. THE WELFARE FUND INSPECTOR,
KERALA TODDY WORKERS WELFARE FUND BOARD,
ULLOOR, MEDICAL COLLEGE P.O., THIRUVANANTHAPURAM.

BY ADV. SRI.K.HARILAL, SC, KTWWF BOARD
G.P. SMT.N.SUDHA DEVI

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 05/12/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

P1 RECEIPT DT 30.7.03 EVIDENCING THE PAYMENT.

P2 RECEIPT DT 30.8.03 EVIDENCING THE PAYMENT.

P3 RECEIPT DT 15.10.03.

P4 - DO -DT 20.11.03.

P5 - DO - DT 10.2.05

P6 DEMAND NOTICE DT 2.5.06 ISSUED BY R3.

P7 PETITION DT 25.9.06.

TRUE COPY

P.A. TO JUDGE

C.N. RAMACHANDRAN NAIR, J.

W.P. (C) No. 30081 OF 2006 F

Dated this the 5th day of December, 2006

J U D G M E N T

Petitioner is challenging recovery proceedings for recovery of arrears of wages and toddy workers' welfare fund payable to 5th respondent. According to petitioner, Rs.1,60,000/- is lying in deposit with 2nd respondent. If there is no abkari dues due from petitioner, then there will be direction to 2nd respondent to forward the amount deposited by petitioner to 5th respondent for crediting the same towards welfare fund dues and if balance amount is available, it is to be paid against wages arrears. If balance amount is not available, respondents will be free to proceed with the recovery proceedings. No recovery steps will be taken against petitioner until deposits are adjusted towards arrears due from the petitioner.

Writ petition is disposed of as above.

(C.N. RAMACHANDRAN NAIR, JUDGE)

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